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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,698	01/25/2002	Timothy P. Blair	10014611-1	2041

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EXAMINER

LE, DEBBIE M

ART UNIT	PAPER NUMBER
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2168

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/056,698	BLAIR ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	DEBBIE M. LE	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's arguments filed on 1/27/06. Claims 1-26 are pending for examinations.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 8 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 8, and 15 recites the limitation "the Internet" in 3. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5, 8-19, 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koss (US Patent Application No. 2004/0062213 A1) in view of Tu (US Patent 6,842,695 B1).

As per claim 1, **Koss** discloses a method for facilitating use of the global positioning system (GPS) the method comprising:

**coupling a client device** (fig. 2, # 20, client/brower) **to the internet** (fig. 2, Internet) **and to a GPS device** (the computer's GPS receiver, ¶ 0039, fig. 2, # 60);

**using the client device to access a database through the network** (as client sends HTTP request to query database via an Internet, fig. 3, # 312, querying a database, fig. 2, # 62), **wherein the client device provides information** (as client sends HTTP request with embedded coordinates, Fig. 3, 306), **the database containing the GPS coordinates that correspond to a plurality of locations** (as a

GPS coordinates with databases of geographical dependent topics to specify locations, independent of actual locations that are specified in the HTTP requests, ¶ 0032, 0051); **Koss** does not explicitly teach that wherein the client device provides information corresponding to at least one location in a format that lack GPS coordinates for describing the at least one location; obtaining from the database the GPS coordinates corresponding to the at least one location; providing GPS coordinates corresponding to the at least one location to the GPS device such that information regarding at least one of direction and distance between the current location and the at least one is obtained.

However, **Tu** teaches **'the client device provides information corresponding to at least one location (i.e., a destination address) (col. 1, lines 45-46), other than a current location, in a format that lack GPS coordinates for describing the at least one location'** (as a user entering a street address) (col. 5, lines 65-66);

**obtaining from the database the GPS coordinates corresponding to the at least one location (Fig. 2, # 40, GPS database);**

**providing GPS coordinates corresponding to the at least one location to the GPS device** (as GPS data provided by remote access devices are in the form of latitude and longitude data) (col. 2, lines 37-39) **such that information regarding at least one of direction and distance between the current location and the at least one is obtained** (as Mapquest<sup>TM</sup>, col. 5, line 55, col. 9, lines 45-65).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to provide the step of the client device provides information corresponding to at least one location in a

format that lack GPS coordinates for describing the at least one location as disclosed, obtaining from the database the GPS coordinates and providing information regarding at least one location and a direction and distance between the current location and the at least one is obtained as disclosed by Tu because using the contains retrieved latitude and longitude information (Tu, col. 2, lines 37-39) would provide convenience to users of Koss's system to enter a landmark or waypoint not having a conventional navigating associated/or corresponding therewith.

**As per claim 2, Koss** teaches wherein providing the GPS coordinates to the GPS device is performed automatically (coordinates are embedded in the HTTP requests automatically, without any intervention by a user, ¶ 0034).

**As per claim 3, Koss** teaches wherein the network is the Internet (¶ 0020).

**As per claim 4, Koss** teaches wherein accessing a database comprises the steps of: accessing a predefined web page through the client device, the predefined web page being coupled to the database; and accessing the database through the predefined web page (GPSLocation:46.21. N, 85.30 W has been determined to be appropriated resource "/mymap.asp" from server "mobile.msn.com", ¶ 0035-0037).

**As per claim 5, Koss** teaches wherein accessing a predefined web page comprises the steps of: browsing to a particular location on the web through the client device; receiving in the client device a web page associated with the particular location, the web page including a link to the database; and displaying the web page associated

with the particular location on a display associated with the client device (a user selects a hyperlink from hyperlinked web content, ¶ 0039).

**Claims 8 and 15** are rejected under the same rationale as independent claim 1 arguments.

**Claims 9 and 16** have the same limitation as claim 2; therefore, they are rejected under the same subject matter.

**As per claim 10, Koss** teaches wherein the GPS device is part of client device (communication through a network, ¶ 0016).

**As per claim 11, Koss** teaches wherein the GPS device is located remotely from the client device (over the internet, fig. 2)

**As per claims 12-14, Koss** teaches wherein the client device is a personal computer (PC), a personal digital assistant (PDA), a cellular telephone (¶ 0013, 0017, 0020).

**Claims 17-19** have similar limitations as claims 3-5; therefore, they are rejected under the same subject matter.

**Claim 20** has similar limitation as stated in depend claim 6; therefore, it is rejected by the same subject matter.

**As per claim 21, Tu** teaches wherein the information corresponding to the at least one location is provided as an address (col. 5, line 52).

**Claims 22-23** have similar limitation as stated in depend claim 21; therefore, they are rejected by the same subject matter.

**As per claim 24, Tu** teaches wherein the address is provided as a street address (col. 5, line 65)

**Claims 25-26** have similar limitations as claim 24; therefore, they are rejected under the same subject matter.

Claims 6-7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koss (USP Application No. 2004/0062213 A1) in view of Tu (US Patent 6,842,695 B1) and further in view of Arner et al (USP Application No. 2002/0002599 A1).

**As per claim 6, Koss and Tu** do not explicitly teach wherein accessing a database comprises the steps of: accessing an e-mail application through the client device, the e-mail application being coupled to the database; and accessing the database through the e-mail application. However, Arner teaches the step of accessing a database comprises the steps of: accessing an e-mail application through the client device (¶ 0139). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to implement the step of accessing a database comprises the steps of: accessing an e-mail application through the client device because the system would provide the only related information which the user asked for to be downloaded and/or displayed to the client device as disclosed by Arner's invention. This would allow users of Koss's system and Tu's system to assure that the client system will actually be able to execute the downloaded application, as suggested by Arner [see ¶ 0015].



**As per claims 7 and 20, Arner** teaches wherein the step of accessing an e-mail application comprises the steps of: establishing communication between the client device and an e-mail server; and accessing the e-mail application through the e-mail server (§ 0140).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

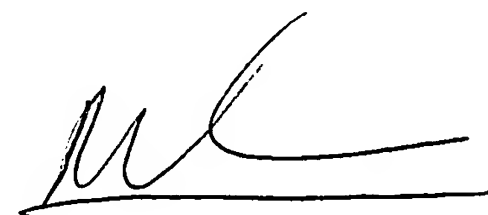
The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M. LE whose telephone number is (571) 272-4111. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2168

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'ML', with a horizontal line underneath.

DEBBIE LE  
PRIMARY EXAMINER

4/11/08